UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

BOSS WORLDWIDE LLC, d/b/a ALGO ONLINE RETAIL,

Plaintiff,

v.

C.A. No. 19-cv-2363 (VLB)

BEAU CRABILL,

Defendant.

DEFENDANT'S NOTICE OF MOTION AND MOTION TO DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT

PLEASE TAKE NOTICE that, on July 5, 2019, upon the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss Plaintiff's First Amended Complaint, and the Declaration of Beau Crabill and exhibit thereto filed herewith, Defendant Beau Crabill ("Crabill") respectfully moves this Court to dismiss the First Amended Complaint brought against him by Plaintiff Boss Worldwide LLC, d/b/a Algo Online Retail pursuant to Rules 12(b)(6), 12(b)(1), and 12(b)(2) of the Federal Rules of Civil Procedure.

This motion should be granted for the reasons set forth in the accompanying Memorandum of Law, any supporting, opposing, or reply papers which may be filed, and such other arguments and evidence that may be brought before the Court.

Dated: July 5, 2019 Respectfully submitted,

FISH & RICHARDSON P.C.

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CERTIFICATE OF SERVICE

I hereby certify that on July 5, 2019, I electronically filed the foregoing document with the Clerk of the Court using the ECF system, which will send notification of such filing to the attorneys of record.

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Dated: July 5, 2019

By: <u>/s/Kathryn Lugo</u>

Kathryn Lugo